

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

BALTIMORE DIVISION

JASON ALFORD, DANIEL LOPER, WILLIS MCGAHEE, MICHAEL MCKENZIE, JAMIZE OLAWALE, ALEX PARSONS, ERIC SMITH, CHARLES SIMS, JOEY THOMAS, and LANCE ZENO, Individually and on Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

THE NFL PLAYER DISABILITY & SURVIVOR BENEFIT PLAN; THE NFL PLAYER DISABILITY & NEUROCOGNITIVE BENEFIT PLAN; THE BERT BELL/PETE ROZELLE NFL PLAYER RETIREMENT PLAN; THE DISABILITY BOARD OF THE NFL PLAYER DISABILITY & NEUROCOGNITIVE BENEFIT PLAN; LARRY FERAZANI; JACOB FRANK; BELINDA LERNER; SAM MCCULLUM; ROBERT SMITH; HOBY BRENNER; and ROGER GOODELL,

Defendants.

Case No. 1:23-cv-00358-JRR

**DECLARATION OF BENJAMIN R. BARNETT
IN SUPPORT OF PLAINTIFFS' REPLY TO THEIR
MOTION TO COMPEL DISCOVERY**

BENJAMIN R. BARNETT declares the following pursuant to 28 U.S.C. § 1746:

1. I am a partner in the law firm of Seeger Weiss LLP and am admitted to practice in the State of Maryland, the Commonwealth of Pennsylvania, and the District of Columbia, and I am also admitted to this Court. I make this Declaration in support of Plaintiffs' reply to their motion to compel discovery, pursuant to Rule 37(a) of the Federal Rules of Civil Procedure and

Rule 104.8 of the Local Rules of this Court. I have personal knowledge of the matters set forth herein based on my role as counsel of record and on my review of the case file of my firm and other files.

2. Annexed hereto as **Exhibit H** is a copy of a Physician Report Form, dated July 29, 2021, completed by Marcus Cook, M.D., concerning his evaluation of Plaintiff Daniel Loper (Bates-numbered NFL_ALFORD-0001243).

3. Annexed hereto as **Exhibit I** is a copy of a Physician Report Form, dated March 26, 2021, completed by Hussein A. Elkousy, M.D., concerning his evaluation of Plaintiff Charles Sims (Bates-numbered NFL_ALFORD-0026412).

4. Annexed hereto as **Exhibit J** is a copy of a Physician Report Form, dated December 28, 2016, completed by Harlan Selesnick, M.D., concerning his evaluation of Player Kenneth Phillips (Bates-numbered NFLPLTFS-0001949).

5. Annexed hereto as **Exhibit K** is a copy of a Neuropsychology Report, dated November 8, 2022, completed by Ernest Fung, PsyD, and Jill Dermeyer, PsyD, concerning their evaluation of Plaintiff Jason Alford (Bates-numbered NFL_ALFORD-0000817-830).

6. Annexed hereto as **Exhibit L** is a copy of a Physician Report Form, dated February 17, 2022, completed by Laura Lacritz, Ph.D., concerning her evaluation of Plaintiff Michael McKenzie (Bates-numbered NFL_ALFORD-0009009-9021).

7. Annexed hereto as **Exhibit M** is a copy of the November 22, 2019, decision letter sent to Plaintiff Willis McGahee (NFL_ALFORD-0002514-2519).

8. Under penalty of perjury, I declare the foregoing to be true and correct.

Executed this 20th day of December, 2024.

/s/ Benjamin R. Barnett

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